

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

**FILED**  
September 11, 2020 10:54 AM  
CLERK OF COURT  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: mkc SCANNED BY: TB 9/11/20

CLARENCE OTWORTH,  
In his individual capacity,

Plaintiff,

v.

TONY MOULATSIOTIS,  
In his official capacity,

LISA SWANSON,  
In her individual capacity,

Defendants

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Case No.

Civil and Criminal Action

Judge:

Jury Trial Demanded

Violation of Section 241 of Title 18  
Violation of Section 242 of Title 18  
Conspiracy, Fraud, and Extortion

**1:20-cv-886**

**Paul L. Maloney**

**United States District Judge**

**COMPLAINT**

1. Section 241 of Title 18 is the civil rights conspiracy statute. "Section 241 of Title 18 makes it unlawful for two or more persons to agree together to injure, threaten, or intimidate a person in any state, territory or district in the free exercise or enjoyment of any right or privilege secured to him/her by the Constitution or the laws of the United States, (or because him/her having exercised the same)."
2. Section 242 of Title 18 makes it a crime under color of any law to willfully deprive a person of a right or privilege protected by the Constitution or laws of the United States.

## **JURISDICTION**

3. Jurisdiction in this case is based on the court's federal question jurisdiction, 28 U.S.C. § 1331, which provides that "[t]he district courts shall have original jurisdiction of all civil actions arising under the constitution, laws, or treaties of the United States."

4. The court also has jurisdiction in this matter under 42 U.S.C. § 1983 – Civil Action for deprivation of rights secured by the U.S. Constitution.

## **PARTIES**

5. Plaintiff Clarence Otworth is a retired railroad conductor. He resides at 187 East Daniels Road, Twin Lake, MI **49457**-8745. Telephone: 231-292-1205.

6. Tony Moulatsiotis is the Muskegon County Treasurer. His office address is 173 East Apple Avenue, Suite 194, Muskegon, Michigan 49442. Telephone: (231) 724-6261.

7. Defendant Lisa Swanson is the treasurer of an unincorporated organization entitled Lakewood club Village that calls itself the Village of Lakewood Club, which pretends to be a Michigan municipality. Her office address is 6681 Automobile Road, Twin Lake, MI 49457. Telephone: (231) 894-9008.

## FACTS

8. There are 83 counties in Michigan. It was the job of the counties to levy and collect property taxes for the schools in Michigan. However, the counties did not want that job.

9. Michigan made a wise decision when they gave that job to the municipalities

10. It was, so to speak, set in stone that only incorporated organizations can be municipalities, and only municipalities can levy and collect property taxes.

11. Muskegon County had a problem -- there were no municipalities in Muskegon County.

## WHAT TO DO? WHAT TO DO? WHAT TO DO?

12. The solution that Defendant Tony Moulatsiotis and some others came up with was to do what Dalton Township did – pretend to be a municipality.

13. Allan E. Vanderploeg, a local attorney, filed a petition for the incorporation of Lakewood Club Resort with the Muskegon County Board of Supervisors.

14. Harry J. Knudsen, the Muskegon County Corporate Counsel, told the Supervisors that they could compulsorily incorporate the Lakewood Club Resort under Chapter 1 of the General Law Village Act, PA 3 of 1895, as amended.

15. Chapter 1 of the General Law Village Act, PA 3 of 1895, as amended, is the Village Charter for all incorporated villages.

16. Unincorporated villages are not required to have a Village Charter.

17. Chapter 1 of the General Law Village Act, PA 3 of 1895, was superseded as to new incorporations on September 01, 1909, by the Home Rule Village Act, PA 278 of 1909.

18. Section 9 of the Home Rule Village Act requires an election to be held on the question of incorporation by the qualified electors affected by a proposed incorporation.

19. On June 28, 1967, the Muskegon County Board of Supervisor compulsorily incorporated 2.06 miles of public land in the northwest section of Dalton Township and declared it to be an incorporated village to be known as “Lakewood Club Village.”

20. Compulsory incorporations have been unconstitutional in Michigan since September 01, 1909, when Chapter 1 of the General Law Village Act, PA 3 of 1895, was superseded as to new incorporations by the Home Rule Village Act, PA 278 of 1909.

21. The Muskegon County Board of Supervisors had the authority to set a date for an election on the question of incorporation but not to compulsorily incorporate a Village.

22. The Muskegon County Board of Supervisors set the date of August 15, 1967 for an election, but did not hold an election on the question of incorporation.

23. The leaders (racketeers) of this premeditated incorporation fraud held an election on August 15, 1967, for officers for offices that did not exist.

24. Lakewood Club Resort was not incorporated. It was a hoax, for the purpose of making the citizens they were going to swindle believe it was legal.

25. The racketeers, so to speak, put the cart in front of the horse.'

26. First, you create offices by incorporation, then you elect officers for the offices.

27. The leaders of this premeditated fraud learned to bilk the citizens of Dalton Township from the employees of Dalton Township who was bilking the citizens of Muskegon County..

28. These racketeers got into this business so they could enact zoning ordinances, levy and collect a village property tax, receive a share of Michigan's tax revenue, and provide themselves with a lucrative income.

29. This was the beginning of the village property tax. Give some of their extorted money to the schools, but keep the rest for themselves.

30. The village of Lakewood club deposited approximately \$250,000 in two banks in Whitehall, Michigan. Money that should have gone to the schools.

31. On September 01, 2020, Defendant Tony Moulatsiotis committed Mail Fraud by sending a false billing through the U.S. Mail to the Plaintiff entitled "Muskegon County Delinquent Tax Notice" (hereinafter referred to as "EXHIBIT "A").

32. Exhibit “A” is evidence that Defendant Tony Moulatsiotis, acting under color of law, threaten foreclosure if Plaintiff failed to pay \$923.93 by November 30, 2020. This is a violation of Section 242 of Title 18.

33. Exhibit “A” is evidence that Defendant Tony Moulatsiotis, acting under color of law, willfully demanded payment of an alleged delinquent village of Lakewood Club property tax. This is a violation of Section 241 and 242 of Title 18.

34. Exhibit “A” is evidence that Defendant Tony Moulatsiotis and Defendant Lisa Swanson willfully conspired together and agreed to extort \$923.93 from the plaintiff by November 30, 2020. This is a violation of Section 241 and 242 of Title 18.

35. Exhibit “A” is evidence that Defendant Lisa Swanson sent Defendant Tony Moulatsiotis a bill for an alleged delinquent village property tax that she claimed the plaintiff owed the village of Lakewood club and persuaded him to collect it for her. Conspiring to extort money from the plaintiff is a violation of Section 241 and 242 of Title 18.

36. Exhibit “A” is the exact same fraud that Defendant Lisa Swanson and Defendant Tony Moulatsiotis successfully pulled on the plaintiff on June 04, 2019. They extorted \$850.47, from the plaintiff by threatening foreclosure and refused to refund the money. This was a violation of Section 241 and 242 of Title 18.

37. Defendant Tony Moulatsiotis claims Muskegon County has a property tax and the Plaintiff owes Muskegon County \$923.93 in delinquent property taxes.

38. Defendant Tony Moulatsiotis did not send the plaintiff a tax bill for 12 years because he knew Muskegon County didn't have a Muskegon County Property tax.

39. Defendant Tony Moulatsiotis and Defendant Lisa Swanson conspired to extort \$923.93 from the Plaintiff by threatening foreclosure. This is a violation of section 241 and 242 of Title 18,

40. Defendant Tony Moulatsiotis and Defendant Lisa Swanson violated Section 241 and 242 of Title 18, by conspiring to extort \$923.93 from the plaintiff.

41. Instead of authorizing incorporated organization to be Municipalities Defendant Tony Moulatsiotis unlawfully authorized racketeers of unincorporated organizations, Dalton Township and Village of Lakewood Club, to pretend to be Michigan municipalities.

42. Michigan law makes it perfectly clear that only incorporated organizations can become municipalities.

43. Defendant Tony Moulatsiotis and Defendant Lisa Swanson willfully conspired to deprive the Plaintiff of his civil rights in violation of Section 241 and 242 of Title 18.

44. Defendant Tony Moulatsiotis and Defendant Lisa Swanson willfully deprived the Plaintiff of his civil rights in violation of Section 242 of Title 18.

45. There are five types of municipalities in Michigan: Mayor Council, Manager Council, Charter Township, General Law Township, and Village.
46. None of the five types of Michigan municipalities can levy taxes without the approval of a majority of the township population.
47. The village of Lakewood Club is not a Michigan municipality because it does not have the approval of a majority of the township population.
48. The village of Lakewood club is not a municipality because it is not incorporated.
49. The village of Lakewood club is not a municipality because it has no corporate status.
50. The village of Lakewood club is not a municipality because it has no corporate existence.
51. The village of Lakewood club is not a municipality because Defendant Tony Moulatsiotis doesn't have any authority to authorize an unincorporated organization to levy and collect property taxes.
52. The conspiracy of Defendant Tony Moulatsiotis and Defendant Lisa Swanson to extort \$923.93 from the Plaintiff by threatening foreclosure if the amount is not paid by November 30, 2020, is a violation of Section 241 and 242 of Title 18.



53. The conspiracy of Defendant Tony Moulatsiotis and Defendant Lisa Swanson to willfully deprive Plaintiff of his rights and privileges protected by the Constitution and laws of the United States is a violation of Section 241 and 242 of Title 18..

54. Defendants Tony Moulatsiotis and Lisa Swanson cannot prove that they have the authority to levy and collect a village property tax.

55. Plaintiff was deprived of due process when Defendant Tony Moulatsiotis and Defendant Lisa Swanson swindled him out of \$850.47 on June 04, 2019.

WHEREFORE, Plaintiff Clarence Otworth demands judgment against Defendant Tony Moulatsiotis for \$100,000, with interests and costs. Judgment against Defendant Lisa Swanson for \$100,000, with interests and costs, and for such other relief as this Court deems just and proper; such as criminal prosecutions.

Dated: September 09, 2020.

JURY TRIAL DEMANDED



Clarence Otworth  
187 East Daniels Road  
Twin Lake, MI 49457  
(231) 292-1205

### VERIFICATION

I, Clarence Otworth, declare under penalty of perjury that I have read the foregoing complaint and that the matters stated therein are true to the best of my knowledge, information, and belief.

CLARENCE OTWORTH  
187 EAST DANIELS ROAD  
TWIN LAKE, MI 49457  
JONBENET WAS NOT MURDERED

OFFICE OF  
UNITED STATES  
399 FEDERAL  
110 MICHIGAN  
GRAND RAPIDS



FOREVER / USA



FOREVER / USA



FOREVER / USA

THE CLERK  
S DISTRICT COURT  
BUILDING  
STREET, N. W.  
MICHIGAN 48503